

Jan. 18. 2008 3:07PM

No. 2449 P. 1

BY: FILED
08 JAN 23 PM 4:18
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
DEPUTY**Noreen Rucinski**

Dir. Strategic Business Development
Schneider Rucinski Enterprises
3344 N Mt. View Dr
San Diego CA 92116
619-282-7977
Fax 606-775-1405

Plaintiff in Pro Per

**UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF CALIFORNIA**

"VIA FAX"**'08 CV 0138 WQH POR**

SCHNEIDER RUCINSKI
ENTERPRISES, a California
Company,

Plaintiff,

vs.

TOUCH ASIA OUTSOURCING
SOLUTIONS, INC., dba TOUCH ASIA
CALL CENTER, INC, a California
Corporation; RUDY NGAW; an
individual
STRATASOFT, INC.; INX, INC., a
Texas Corporation formerly known
as I-SECTOR CORPORATION; and
DOES 1 through 20, inclusive,

Defendants.

Case No.:
**DECLARATION OF
Dennis R. McBroom**

I, Dennis Robert McBroom, declare as follows:

1. I am the Chief Operating Officer of Telpro Incorporated, ("Telpro") sole stockholder and founder. As COO I function in various capacities including appraisal, purchasing and re-sale of New and pre-owned telecommunications, network and data equipment. I have personal, hands on, knowledge of the following facts and, if required to do so, I would testify thereto in a court of law.



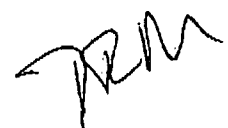
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1 2. I am a 21 year industry veteran in the purchase/appraisal/remarketing
2 of pre-owned telecommunications equipment industry. I specialize in
3 appraisal/remarketing of Inter Exchange Carrier (IXC) equipment. I
4 have appraised/and or purchased in excess of one hundred million
5 dollars worth of carrier/telecom equipment since forming Telpro in
6 1986. Prior to 1986 I served as Managing General Partner/GM for an
7 IXC company with three switching centers in Ohio. (P.O.P.'s or points of
8 presence). I possess a GSA contract/am a certified U.S. Government
9 contractor for IT hardware sales and repair. Thus, my experience and
10 expertise in Telecom/IXC hardware includes hands on experience in
11 telecom hardware appraisal, re-sale, and management of companies
12 that appraise, buy, sell and actually use new and pre-owned IXC
13 equipment/telecom gear
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17 3. Telpro is now a member in good standing of both the North American
18 Association of Telecom Dealers and The International Association of Telecom
19 Dealers. Telpro has held memberships in other trade associations including
20 ComTel and ACTA. I have served in the capacity of expert witness and presented
21 testimony in a court of law as an expert in establishing current market value of
22 pre-owned telecom equipment. I hold both BS and MS degrees.
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25 5. In my capacity as COO for Telpro, I was hired to do a desktop appraisal of
26 the property detailed in Exhibit 1.
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6. Based upon my analysis, I estimate the value of the items in Exhibit 1, for immediate sale at market value, to be less than \$1,000. I herein acknowledge the original purchase price was \$245,000.00 with all software, support and usage rights included. Stratasoft and Parent company Isector, have removed all values to this hardware, other, other than re-use as replacement components / spare parts. The letter from counsel Narsct and Jim Long of ISector, along with emails from representative, Gary Johnson, clearly indicate lack of ownership/transfer rights for software, software support, or even use of the copyrighted software. Positioning by Bridges, Pace, and MCCarthy's of Stratasoft further remove any value in the hardware to Schneider Rucinski Enterprises as they underscore the elimination resale possibilities as an operational unit. In my extensive business practices and expert witness experiences I have found that it is standard industry practice for all software rights, responsibilities, including transfer rights, if any, to be established at the point of original sale. This was re-stated in e-mails from Bridge and Pace and McCathry regarding point of sale of the goods to Schneider Rucinski Enterprises. Schneider Rucinski Enterprises has been deprived of any rights or business advantage after supplying payment to Stratasoft, according to counsels return letters. Software, Guarantees, and warranties were to be maintained thru the term of lease by lessee, during any conflict and or default. Stratasoft was made aware in Dec of 04 and again in May of 2005 to shutdown software to preserve value.

My appraisal and the methodology used to arrive at these figures is attached hereto and incorporated herein by reference as Exhibit "1".



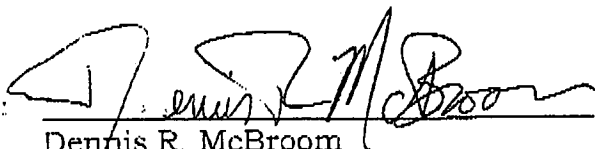
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1 I declare under penalty of perjury under the laws of the State of Ohio and
2 under the United States of America that the foregoing is true and correct.

3 Executed this 18th day of January at Toledo Ohio

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6 By:


Dennis R. McBroom
COO
Telpro Inc

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DESKTOP ASSESMENT OF FAIR MARKET VALUE STRATASOFT CALL CENTER SOLUTION AND EXCEL EQUIPMENT

January 18, 2008

BY DENNIS McBROOM
TELPRO INCORPORATED

2004 Stratasoft Call Center Solution Hardware

Rack Mounted Telephony Server (Including Monitor, NIC Card,
Modem, Mouse Keyboard

100.00

1

DM/V960A-4T1 Quad Span Dialogic Card

100.00

5

DM/V480A-2T1 Dual Dialogic Card

100.00

1

DM/V2400A Dialogic Resource Board

25.00

1

Dialogic Channel Card

25.00

2

Dialogic Resource Card

25.00

1

Alliance Systems Telephony Server Chassis

Items related to software by reference only.. no value due to
Lack of useage or transferability

5.00

1

Stratasoft maintenance

0

StrataDial® Engine Software 120 Agent by 360 Line Licenses

0

StrataDial® List Management and Reporting System Licenses

0

120 - Telephone Sale Representative (TSR) Blended Agent
Licenses

Source code for "fail-safe" last resort reference

0

Strata Q/A 2 licenses

0

Dell System includes

PERC4/Di Embedded RAID Controller

26.00

2 x 36Gb 10k RPM U320 SCSI Hard Drives (RAID 1)

10.00

\$841

Value of the afore mentioned at liquidation

Reviews of above equipment found on EBAY, DOVE BID, Telecom Liquidators
20 items were reviewed for costs today without software. A mean average of costs from
the above recognized resale business locations found/referenced on the internet.

Collateral Equipment listed on the lessee

DMV480A2T1	Dialogic Station Card	HX013089
DMV480A2T1	Dialogic Station Card	HX013090
DMV480A2T1	Dialogic Station Card	HX013091
DMV960A4T1	Dialogic Channel Card	HX013807
DMV960A4T1	Dialogic Channel Card	HX010831
DMV960A4T1	Dialogic Channel Card	HX015441
DMV960A4T1	Dialogic Channel Card	HX015440
DMV2400APCI	Dialogic Resource Card	HX015028
TYPEII-ARC	Alliance Systems Telephony Server Chassis	E042604-15

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15SVGA	Hansol 15" SVGA Monitor	G15590350900589	
SERIAL #	DESCRIPTION	ITEM #	ORDERED
	Cable, CTBus Assy, 8 Drop	CAB0688	1
	Cable ATX 4P to P4 12V	CAB3050	1
	DMV960A4TIPCI	DIA4401	4
HX015451			
HX015444			
HX015443			
HX015442			
	DMV2400APCI	DIA453	1
	CDROM EIDE 52x Int.	PCCDR0015	1
1390398			
	I-Series 5000 Enclosure	PCCHA5400	1
E051204-18			
	Intel CPU P4 2.4GHz 512K 400FSB	PCCPU1102	1
ASI0056524			
	Floppy 3.5" 1.44MB - Black	PCFDR1004	1
	Seagate Barracuda 7200.7 80GB AT	PCHDR0483	3
5JV6HWW5			
5JV6HXOH			
5JV6HX9S			
	1GB 266MHz PC2100 DDR Memory LP	PCMEM0255	1
ASI0058232			
	SBC P4 845 NIC/VGA/SND +HEATSINK	PCMOB0505	1
0416A11573			
	19slot 2I/1S/16p	PCPBD0047	1
4769			
	Rails, 24" (I-Series and V-4000	PCRAC2000	1
	Rail Extension, 7", I-Series an	PCRAC2005	1
	RAID Controller ATA Adaptec 2400	PCRAI0380	1
	ATA/133 HS Carrier Black	PCRAI0557	3
	Windows 2000 Pro OEM	PCSFT0125	1
00019119922302			
	SR 5.1.1 WIN CD ONLY		
	Lab, Telephony		

The above mentioned EXCEL Switches are from the year 2001 and have no value for resale

Posted in EBAY and Telecom resellers in years 2004, 5, 6. Not available for 2 years.

This information is public and available on over 10 ecommerce sites.

This is considered to be a desktop Assessment of Fair Market Value for quick notice,